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Attorneys for Defendant
ACE AMERICAN INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AARON LORELL and PHILLIP
MATTHEWS,

Plaintiffs,

v.

ACE AMERICAN INSURANCE
COMPANY; ACE USA; ACE INA; DOES
1 - 20, inclusive,

Defendants.

) Case No.: C 06-06460 VRW
)
) APPLICATION AND STIPULATION
) TO CONTINUE CASE
) MANAGEMENT CONFERENCE;
) ~~PROPOSED~~ ORDER;
) DECLARATION OF JAMES W.
) ALCANTARA IN SUPPORT
) THEREOF
)
) Honorable United States District Chief
) Judge Vaughn R. Walker
)
)
) Hearing Date: February 6, 2007
) Hearing Time: 9:00 am
)

COME NOW Defendant ACE AMERICAN INSURANCE COMPANY (hereinafter referred to as "Defendant") and Plaintiffs AARON LORELL and PHILLIP MATTHEWS (hereinafter referred to collectively as "Plaintiffs") by and through their attorneys of record and hereby stipulate as follows:

RECITATIONS

WHEREAS an Order Setting Initial Case Management Conference and ADR Deadlines setting the Initial Case Management Conference to occur on January 23, 2007, at 9:00 a.m. was filed with this Court on October 16, 2006, and served on counsel for Plaintiffs via U.S. Mail on October 20, 2006;

1 WHEREAS on January 16, 2007, counsel submitted an Application and Stipulation to
2 Continue Case Management Conference, [Proposed] Order and Declaration of James W. Alcantara
3 in Support Thereof to this Court for filing, which was filed on January 22, 2007;

4 WHEREAS counsel for Defendant recently learned the case was assigned to E-Filing and
5 accordingly registered for ECF on January 30, 2007;

6 WHEREAS counsel for Defendant is a sole practitioner, admitted to practice in the State of
7 California;

8 WHEREAS counsel for Defendant inadvertently miscalendared a previously scheduled
9 trip;

10 WHEREAS when the error was discovered counsel for Defendant served an Amended
11 Notice of Unavailability on Plaintiffs;

12 WHEREAS counsel for Defendant contacted the Docket Clerk of this Court on January 30,
13 2007, inquiring as to the status of the [Proposed] Order and was informed of the rescheduled date
14 for the Case Management Conference;

15 WHEREAS on January 30, 2007, counsel for Defendant just realized the conflict with the
16 rescheduled date for the Case Management Conference;

17 WHEREAS counsel for Plaintiffs has agreed to stipulate to a continuance of the Case
18 Management Conference in reference to the above-entitled action and counsel for both Plaintiffs
19 and Defendant have determined a mutually convenient date for rescheduling of such;

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Stipulation

In view of the foregoing, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs and Defendant, by and through their undersigned counsel, subject to approval of this Court, the Case Management Conference currently scheduled for February 6, 2007, shall be continued to February 20, 2007, commencing at 9:00am or as soon thereafter as the Court's calendar allows, and the related deadlines as required by F.R.Civ.P. 26 and the Civil Local Rules of Court shall also be continued accordingly.

RESPECTFULLY SUBMITTED this 30th day of January, 2007.

ALCANTARA & ASSOCIATES, APC

/s/ James W. Alcantara
JAMES W. ALCANTARA, ESQ.
Attorneys for Defendant
ACE AMERICAN INSURANCE COMPANY

BIRNBERG & ASSOCIATES

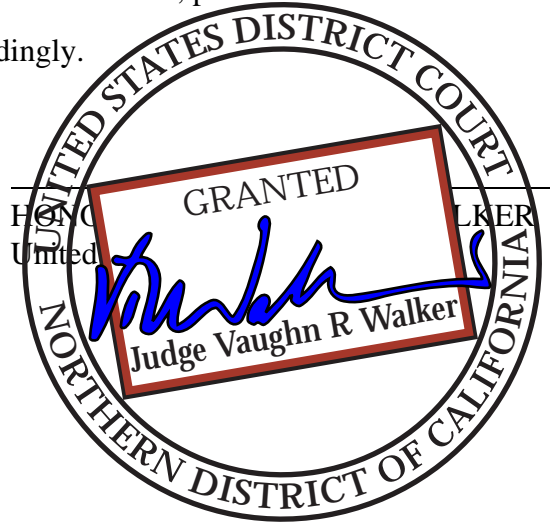
/s/ Cory A. Birnberg
CORY A. BIRNBERG, ESQ.
Attorney for Plaintiffs
AARON LORELL and PHILLIP MATTHEWS

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~~[PROPOSED]~~ ORDER

Good cause appearing, IT IS HEREBY ORDERED the Case management Conference in the above-entitled action shall be continued to February 13, 2007, commencing at 9:00 a.m./p.m., and all related deadlines as set forth in the Court's original Order Setting Initial Case management Conference and ADR Deadlines, pursuant to F.R.Civ.P. 26 and the Civil Local Rules of Court, are continued accordingly.

Dated: February 1, 2007



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